

**PATENT COOPERATION TREATY**  
**PCT**  
**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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See Form PCT/PEA/416

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|---|--|--|
| Applicant's or agent's file reference<br><b>CANEEDLMAYEX</b>                                    | <b>FOR FURTHER ACTION</b>  |  |
| International application No.<br><b>PCT/HU2004/000083</b>                                       | International filing date ( <i>day/month/year</i> )<br><b>11.08.2004</b> | Priority date ( <i>day/month/year</i> )<br><b>21.08.2003</b> |
| International Patent Classification (IPC) or national classification and IPC<br><b>A61M5/30</b> |  |  |
| Applicant<br><b>LINDMAYER, S. Istvan</b>  |  |  |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a.  (*sent to the applicant and to the International Bureau*) a total of 17 sheets, as follows:
    - sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b.  (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

|  |   |
|--|---|
| Date of submission of the demand<br><b>03.08.2005</b>  | Date of completion of this report<br><b>25.11.2005</b>              |
| Name and mailing address of the international preliminary examining authority:<br><br>European Patent Office<br>D-80298 Munich<br>Tel. +49 89 2399 - 0 Tx: 523656 epmu d<br>Fax: +49 89 2399 - 4465 | Authorized Officer<br>Reinbold, S<br>Telephone No. +49 89 2399-7918 |



**INTERNATIONAL PRELIMINARY REPORT  
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International application No.  
PCT/HU2004/000083

**Box No. I Basis of the report**

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:  
 international search (under Rules 12.3 and 23.1(b))  
 publication of the international application (under Rule 12.4)  
 international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements\* of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

**Description, Pages**

1-13 received on 03.08.2005 with letter of 01.08.2005

**Claims, Numbers**

1-5 received on 03.08.2005 with letter of 01.08.2005

**Drawings, Sheets**

1/2, 2/2 received on 03.08.2005 with letter of 01.08.2005

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3.  The amendments have resulted in the cancellation of:

the description, pages  
 the claims, Nos.  
 the drawings, sheets/figs  
 the sequence listing (*specify*):  
 any table(s) related to sequence listing (*specify*):

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages  
 the claims, Nos.  
 the drawings, sheets/figs  
 the sequence listing (*specify*):  
 any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

|                               |             |     |
|-------------------------------|-------------|-----|
| Novelty (N)                   | Yes: Claims | 1-5 |
|                               | No: Claims  |     |
| Inventive step (IS)           | Yes: Claims | 1-5 |
|                               | No: Claims  |     |
| Industrial applicability (IA) | Yes: Claims | 1-5 |
|                               | No: Claims  |     |

**2. Citations and explanations (Rule 70.7):**

**see separate sheet**

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**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: GB 681098  
D2: WO 03066143  
D3: WO 03000319  
D4: US 4722728  
D5: US2002055712

**Novelty Article 33(2) PCT and Inventive Step Article 33(3) PCT**

2. The present application does appear to meet the criteria of Article 33(1) PCT, because the **subject-matter of claims 1-5 is new and inventive** in the sense of Article 33(2) and (3) PCT.

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1 and discloses (the references in parentheses applying to this document) a a needless injection device comprising (figures 1-13):

- a lower part (36)
- an upper part (34)
- energy store units (90,56)
- a start unit (90)
- supplementary units (56)
- lock means (74,80)
- means for releasing the lock (76)
- a long tube of the lower part (36)

The subject-matter of claim 1 therefore differs from this known hypodermic syringe in that:

- a long tube of the lower part, with external thread, stretches into the upper part and at the bottom fits into the short internal thread of the adjoining part of the upper part

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- the lower part is attached to the upper part revolving manner, moving in a telescopic way, and results the tension state of the energy store units
- at least one start unit capable of storing minimum 60%, preferably 80-90% of the total discharge energy, with the reversible elastic distortion at max. 25%, practically 15-20% of the internal lenght of the agent cartridge
- the start unit is a bundle of polyurethane springs fitted inside the device in a separate case, at stretching it is joined with the mean transferring the streching power, preferably with the lock mechanism, by a spacer, having no contact with other energy store units

The problem to be solved by the present invention may therefore be regarded as how to enable the optimal store amount of energy and to release it always at the optimal time and speed suitable.

No document of the search report discloses a such needleless injection device. It is not evident to have to modify the needleless injection device of document D1 to solve these problems. There is no indication in the document of the search report to use the mean for stretching the springs and the start unit composed by polyurethane springs.

Therefore the subject matter of claims 1-5 is considered to meet the requirement of Article 33 (1) PCT in respect of novelty and inventive step.